AUTHORITY FOR THE NATIONAL RECONNAISSANCE PROGRAM DOMESTIC SATELLITE RECONNAISSANCE ACTIVITIES

I. Background. The National Reconnaissance Program (NRP) was established as a national effort to satisfy those foreign intelligence needs of the United States Government which can best be met by overhead reconnaissance satellites. The NRP consists of Photo and Signals Intelligence (SIGINT) satellites that have a unique capability to obtain intelligence from "denied areas" of the world. Information obtained by NRP satellites is used in fulfilling national, political, economic, strategic and tactical military, and scientific and technological intelligence needs. This information directly supports national objectives and requirements, such as SALT monitoring, Mutual Balanced Force Reductions, indications and warning, and operation and command support. The total NRP--the development, procurement and operation of reconnaissance satellites, is conducted under extremely sensitive security policies and procedures.

II. Organization. The National Reconnaissance Office (NRO) was established as a result of a Presidential decision to create an intelligence collection program operating on a low profile basis and using minimum management overhead. The Secretary of Defense is the Executive Agent for the NRP. The Under Secretary of the Air Force, in his assigned position as the Director of the NRO, has been delegated the responsibility and authority for accomplishing the NRP mission. The Executive Order assigned responsibility for acquisition of intelligence data to the DCI.

The NRO is a separate agency of the Department of Defense organized to provide a central, streamlined management agency for the NRP. In addition to a headquarters staff, the NRO has three Program Offices: Program A, an Air Force element located at Los Angeles, California; Program B, a CIA element located in Washington, D.C.; and Program C, within the Navy, also located in Washington, D.C. These Program Offices have the responsibility to design, develop, and operate the reconnaissance satellite systems.

III. Domestic Requirements. The NRP conducts limited domestic photography collection in response to approved Intelligence Community and civilian requirements, as directed and approved

by the DCI. NRP satellites also collect photography and electronic data in support of satellite research and development and system engineering tests. In the process of performing essential research and development and system engineering tests, NRP satellites inadvertently obtain incidental electronic and photographic data on other than test targets from within the United States. However, this incidental collected domestic data is not exploited or used in any way other than for development and system engineering requirements.

Photography within the United States is taken by NRP satellites for three purposes.

a. To fulfill tasking by the Committee on Imagery Requirements and Exploitation, at the direction and approval of the DCI, in support of the exploitation studies (target signature comparison, photo interpreter training, and system comparison tests); and to establish ground truth tests or ground scene accuracy (by identifying a specific target and measuring the exact dimensions and reflections of the target.)

b. In support of engineering tests, directed at optimizing the information return of satellite systems on-orbit.

c. In response to civilian requirements, as established by the "Committee for Civilian Application of Classified Photography of the United States," and as approved by the DCI, such as mapping and forest and agricultural, geological surveys, and special requirements.

[redacted]

IV. Implications of Executive Order 11905. Executive Order 11905 (page 27, para 5(b)(2)) prohibits foreign intelligence agencies from performing "...electronic surveillance to intercept a communication which is made from, or is intended by the sender to be received in, the United States, or directed against United States persons abroad, except lawful electronic surveillance under procedures approved by the Attorney General...." The Executive Order also prohibits physical

surveillance which is defined as "...continuing visual observation by any means...." (page 25, para 5(a)(8)).

NRP authorized and initiated domestic activities with reconnaissance satellites are limited to research and development, engineering tests and system improvement efforts on reconnaissance satellites. The NRO does not direct or task any satellite to obtain domestic data for any purpose other than for research and development and system engineering test requirements. However, as identified, NRP satellites inadvertently obtain, in the course of performing routine research and development and system engineering tests, intercepts of electronics signals and communications and photographs of other than selected test targets from within the United States.

V. Authority for the NRO to Conduct Essential Domestic Satellite Photo and Electronic Data Collection. The NRO is authorized to perform essential domestic satellite photo and electronic data collection for research and development and system engineering test requirements. The Director of the NRO is delegated the authority to perform these system essential requirements and is charged with establishing and implementing procedures to insure that operating elements of the NRP adhere to the spirit and intent of Executive Order 11905; and that the domestic data collected by the NRO for research and development and engineering test requirements.

VI. Implementation. The authority and responsibility contained in Section V will be implemented by the DNRO immediately and will be set forth in Department of Defense Directive Number TS 5105.23.